

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION OF EXISTING AND)	CASE NO.
FUTURE SERVICE OF THE ASSETS OF)	2014-00163
BULLITT UTILITIES, INC., NOW UNDER THE)	
CONTROL OF BULLITT COUNTY SANITATION)	
DISTRICT, AS RECEIVER OF THE ASSETS)	

ORDER

On May 22, 2014, the Commission initiated this proceeding to investigate the issues surrounding Bullitt Utilities, Inc.'s ("Bullitt Utilities") provision of wastewater treatment service.¹ The investigation resulted from a catastrophic failure of the steel aeration tank at Bullitt Utilities' Hunters Hollow wastewater treatment plant on March 29, 2014.²

On August 21, 2015, while this investigation was pending, Bullitt Utilities filed a request to abandon its Hunters Hollow property and system. On August 24, 2015, the Commission opened a formal investigation into Bullitt Utilities' request to abandon, and that case was docketed as Case No. 2015-00290.³ On August 31, 2015, in Case No. 2015-00290, the Commission found that Bullitt Utilities had carried its burden, met the

¹ Order (Ky. PSC May 22, 2014) at 3.

² Case No. 2014-00255, *Application of Bullitt County Sanitation District as Receiver for the Assets of Bullitt Utilities, Inc. for a Certificate of Convenience and Necessity and Surcharge for Same* (Ky. PSC July 21, 2015), Order, Appendix, Exhibit 4, Energy and Environment Cabinet, Department for Environmental Protection, Division of Water, Wastewater Inspection Report, dated Apr. 2, 2014.

³ Case No. 2015-00290, *Bullitt Utilities, Inc.'s Notice of Surrender and Abandonment of Utility Property* (Ky. PSC Aug. 24, 2015).

requirements of KRS 278.021(2)(a) and (b), and entered an Order finding an abandonment.⁴

On September 1, 2015, the Commission, pursuant to KRS 278.021, filed a Complaint in the Franklin Circuit Court seeking an order attaching the assets of Bullitt Utilities and placing those assets under the sole control and responsibility of Bullitt County Sanitation District, as Receiver (“BCSD, as Receiver”).⁵ On September 23, 2015, the Franklin Circuit Court entered an order attaching the assets of Bullitt Utilities and appointing Bullitt County Sanitation District (“BCSD”) the receiver for the assets of Bullitt Utilities and placing those assets under the sole control and responsibility of BCSD. The Franklin Circuit Court authorized BCSD to take charge, preserve, operate, control, manage, maintain, and care for the Bullitt Utilities sewage collection and treatment facilities. BCSD is also authorized to, among other things, collect all receivables and profits, and to exercise generally the powers conferred by the Franklin Circuit Court and such other powers as are usual and incidental to the management of a public utility providing sewage collection and treatment service to the public.

We find that Bullitt Utilities has abandoned its assets and is no longer responsible for the provision of wastewater treatment service. We find that BCSD, as Receiver, is providing wastewater treatment service for the Hunters Hollow system. We find that the purposes of the investigation have been satisfied, and the investigation should be closed.

⁴ *Id.*, Order (Ky. PSC Aug. 31, 2015) at 5.

⁵ *Public Service Commission of Kentucky v. Bullitt Utilities, Inc.; Commonwealth of Kentucky, Acting through and by the Energy and Environment Cabinet; and Bullitt County Sanitation District*, Franklin Circuit Court, Civil Action No. 15-CI-946 (filed Sept. 1, 2015).

IT IS THEREFORE ORDERED that this investigation is closed and removed from the Commission's docket.

By the Commission

ENTERED 
DEC 15 2015
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

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